

EXHIBIT 21

MATTHEW PLOSZAJ
6/10/2021

<p style="text-align: right;">Page 1</p> <p>UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON AT SEATTLE</p> <hr/> <p>HUNTERS CAPITAL, LLC, et al.,) Plaintiffs,) vs.) No. 20-cv-00983-TSZ CITY OF SEATTLE,) Defendant.)</p> <hr/> <p>ZOOM VIDEO DEPOSITION UPON ORAL EXAMINATION OF MATTHEW PLOSZAJ</p> <hr/> <p>10:30 a.m. June 10, 2021</p> <p>*** This transcript is marked confidential. ***</p> <p>REPORTED BY: Pat Lessard, CCR #2104</p>	<p style="text-align: right;">Page 3</p> <p>1 EXAMINATION 2 ATTORNEY PAGE 3 BY MS. PRATT: 5 4 BY MS. PRATT: 63 5 EXHIBIT INDEX 6 No. DESCRIPTION PAGE 7 Exhibit 54 1/12/21 form from Employment 64 8 Security Department for Matthew 9 Ploszaj. 10 Exhibit 55 Map of Ploszaj neighborhood. 66 11 Exhibit 49 Plaintiff's Answers and Responses 107 12 to Defendant City of Seattle's 13 Second Discovery Requests and 14 Proposed Revisions to First 15 Discovery Requests. 16 Exhibit 8 Plaintiffs' Initial Disclosures. 135 17 18 19 20 21 22 23 24 25</p>
<p style="text-align: right;">Page 2</p> <p>1 APPEARANCES 2 3 FOR THE PLAINTIFFS: 4 MR. GABE REILLY-BATES 5 Calfo Eakes 6 1301 Second Avenue, Suite 2800 7 Seattle, WA 98104 8 206.294.7440 9 gaber@calfoeakes.com 10 11 FOR THE DEFENDANTS: 12 MS. CAITLIN PRATT 13 Harrigan Leyh Farmer & Thomsen 14 999 Third Avenue, Suite 4400 15 Seattle, WA 98104 16 206.673.1700 17 caitlin@harriganleyh.com 18 19 20 21 22 23 24 25</p>	<p style="text-align: right;">Page 4</p> <p>1 THE VIDEOGRAPHER: We are now on the record. 2 Today is June 10th, 2021. The time is now 3 10:31. 4 This is volume number one, media number one, 5 in the Deposition of Matthew Ploszaj in the matter of 6 Hunters Capital, LLC, et al., versus the City of 7 Seattle. 8 We are recording via Internet using Zoom 9 video conferencing. 10 My name is Karl Benitez and I'm representing 11 Royal Video Productions on behalf of Rough & 12 Associates. 13 Today's court reporter is Pat Lessard. 14 At this time I would like to ask all counsel 15 present to identify themselves. 16 MS. PRATT: This is Caitlin Pratt from 17 Harrigan Leyh Farmer & Thomsen and we represent the 18 City. 19 MR. REILLY-BATES: This is Gabe Reilly-Bates 20 from Calfo Eakes. We represent the plaintiffs in this 21 matter. 22 23 24 25</p>

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<p style="text-align: right;">Page 69</p> <p>1 all?</p> <p>2 A. I don't believe he is. I don't believe so.</p> <p>3 Q. Does he know you're involved in this</p> <p>4 lawsuit?</p> <p>5 A. It's possible.</p> <p>6 Q. Have you told him you're involved in this</p> <p>7 lawsuit?</p> <p>8 A. Not to my knowledge, no.</p> <p>9 Q. Why not?</p> <p>10 A. I don't know if it ever came up or if it was</p> <p>11 ever relevant when I was chatting with him to bring it</p> <p>12 up.</p> <p>13 Q. Did you talk to Mr. Columbo about the CHOP?</p> <p>14 A. On many occasions.</p> <p>15 Q. How did you communicate with Mr. Columbo</p> <p>16 about the CHOP?</p> <p>17 A. In person, text and phone.</p> <p>18 Q. Are you aware of what Mr. Columbo's opinion</p> <p>19 is on the CHOP?</p> <p>20 A. I'm not clear. I would say maybe neutral.</p> <p>21 I don't know.</p> <p>22 Q. Do you have any reason to believe he</p> <p>23 supported the CHOP?</p> <p>24 A. That is a bit vague. I know he supports</p> <p>25 equality and equal rights.</p>	<p style="text-align: right;">Page 71</p> <p>1 myself and my fellow cohabitants in the building, and</p> <p>2 his concern for our lives and safety.</p> <p>3 Q. Were you ever told that the person who</p> <p>4 Mr. Columbo was in contact with made any promises or</p> <p>5 other representations to Mr. Columbo?</p> <p>6 A. No.</p> <p>7 Q. Did you ever rely on anything that was</p> <p>8 allegedly told to Mr. Columbo by this spokesperson?</p> <p>9 A. No.</p> <p>10 Q. You said that Mr. Columbo supports equality</p> <p>11 and equal rights.</p> <p>12 Do you mean that he supports the Black Lives</p> <p>13 Matter movement?</p> <p>14 A. That's not what I mean and I don't know his</p> <p>15 stance on the movement. It's -- yeah.</p> <p>16 Q. What specifically did you understand was his</p> <p>17 position or opinion, excuse me, on CHOP?</p> <p>18 A. I'm sorry. I think that's just -- I don't</p> <p>19 know. That's too vague of a question because there</p> <p>20 are so many elements of CHOP.</p> <p>21 And as you introduced BLM there's many</p> <p>22 loaded parts to that as well.</p> <p>23 Q. What is loaded about the Black Lives Matter</p> <p>24 movement?</p> <p>25 MR. REILLY-BATES: Objection; vague.</p>
<p style="text-align: right;">Page 70</p> <p>1 I don't think he supported what led to the</p> <p>2 deaths of a few people as well as some of the other</p> <p>3 unfortunate events.</p> <p>4 Q. Do you know Mr. Columbo's opinion on the</p> <p>5 East Precinct being evacuated?</p> <p>6 A. I do not.</p> <p>7 Q. Did you ever speak to him about that?</p> <p>8 A. Not that I'm aware of.</p> <p>9 Q. What do you recall discussing about the CHOP</p> <p>10 with Mr. Columbo?</p> <p>11 A. I called him -- I recall directly talking</p> <p>12 with him when a CHOP protestor had jumped on our roof,</p> <p>13 threatened to kill themselves, threatened to kill us</p> <p>14 in the building. I talked to him that night.</p> <p>15 I recall the subsequent morning about the</p> <p>16 graphic graffiti spray painted on our sidewalk</p> <p>17 threatening myself and my neighbor.</p> <p>18 He had mentioned at one time that he was in</p> <p>19 contact with a person inside of Jenny Durkan's office.</p> <p>20 Q. Do you recall who that person is?</p> <p>21 A. A spokesperson of some sort. I don't.</p> <p>22 Q. What do you understand his contact with that</p> <p>23 person was?</p> <p>24 A. Related to his being a concerned landlord</p> <p>25 and in particular concerned about his renters there,</p>	<p style="text-align: right;">Page 72</p> <p>1 A. I don't know if you're referring to the</p> <p>2 movement, the organization or the statement in</p> <p>3 general.</p> <p>4 Q. (By Ms. Pratt) What is loaded about the</p> <p>5 Black Lives Matter movement?</p> <p>6 MR. REILLY-BATES: Objection; asked and</p> <p>7 answered.</p> <p>8 Q. (By Ms. Pratt) Go ahead.</p> <p>9 A. It's too vague. I don't know if you mean</p> <p>10 the movement, the organization or the expression</p> <p>11 itself.</p> <p>12 Q. I have said twice the movement.</p> <p>13 A. I'm lost. I apologize.</p> <p>14 Q. Do you support the Black Lives Matter</p> <p>15 movement?</p> <p>16 A. I'm neutral.</p> <p>17 Q. Why don't you support it?</p> <p>18 A. I didn't say I don't support it.</p> <p>19 Q. What makes you neutral rather than</p> <p>20 supporting the Black Lives Matter movement?</p> <p>21 A. I don't know enough about it to support it</p> <p>22 or not support it either way.</p> <p>23 Q. What attempt have you made to understand it?</p> <p>24 MR. REILLY-BATES: Objection; argumentative.</p> <p>25 Vague.</p>

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<p>1 Q. (By Ms. Pratt) Why do you say the George 2 Floyd event? 3 A. You asked me if there was an event. 4 Q. You mean the killing or the murder of George 5 Floyd? 6 A. Yes. 7 Q. Starting with the murder of George Floyd 8 what did you observe in terms of protests near your 9 apartment on East Pine Street? 10 A. Could you be more specific? 11 Q. What was your experience of the protests 12 that began around the time that George Floyd was 13 murdered? 14 A. It was very heated. There were several cop 15 cars burned, destroyed. Police were out on the 16 streets responding, using tear gas. The protestors 17 were likewise responding. And that -- yes. 18 Q. How did that affect your experience of life 19 at your apartment on East Pine Street? 20 A. How did it? 21 Q. Yes. 22 A. It was hard to breathe, hard to sleep. 23 Q. Why was it hard to breathe? 24 A. We don't have the best sealed windows in our 25 apartment so the tear gas seeps in when that was used.</p>	<p>1 Q. How else? 2 A. Well, they evolved into CHOP. 3 Q. Before it evolved into CHOP were there other 4 ways that the George Floyd murder affected your life 5 at your East Pine Street apartment? 6 A. I had to show ID to enter the area. 7 MR. REILLY-BATES: You're talking about 8 before CHOP? 9 THE WITNESS: Correct, correct. 10 MS. PRATT: Counsel, if your client needs a 11 clarification he can ask for it. 12 Q. (By Ms. Pratt) Who asked you to show ID 13 during that time period? 14 A. Officers, police officers. 15 Q. Where were you asked to show ID? 16 A. Thirteenth and Pine, Pike and 12th, other 17 arteries. 18 Q. Was this all day during that time period? 19 A. I can't recall if this was all day all the 20 time. As things went on it was the case. 21 Q. Other than that it was hard to breathe, hard 22 to sleep and that you had to show ID to police 23 officers, were there other ways that the protests that 24 started in approximately May 2020 affected your life 25 at your East Pine Street apartment?</p>
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<p>1 Q. Why was it hard to sleep? 2 A. There were people on my street every night 3 shouting into a bullhorn until odd hours of the 4 morning. 5 Q. Were the protests localized at the East 6 Precinct around the time when they began in May of 7 2020? 8 A. Largely, yes. However, I'm aware there were 9 protests throughout the city and oftentimes the 10 protests would move around. 11 But it was a nightly occurrence around the 12 East Precinct in addition to whatever else was 13 occurring. 14 Q. Other than making it hard to breathe and 15 hard to sleep were there other ways that the protests 16 in May of 2020 regarding the George Floyd murder 17 affected your experience of living at your East Pine 18 Street apartment? 19 A. I'm sorry. Could you repeat that, please? 20 Q. Other than your description that the 21 protests affected your life because it was hard to 22 breathe and hard to sleep, were there other ways that 23 the protests that started in May 2020 affected your 24 life? 25 A. Yes.</p>	<p>1 A. Not that I can articulate at this point but 2 I'm sure in some way it had. 3 Q. Was your access to your apartment restricted 4 in any other way other than having to show ID? 5 A. I would have to walk through crowds to get 6 to the point where I could show my ID. 7 Q. Do you have a car? 8 A. I do. 9 Q. Do you park at your apartment? 10 A. No. 11 Q. Where do you park the car? 12 A. Behind Langston Manor Apartments at 19th and 13 Republican. 14 Q. How long have you parked your car there? 15 A. I don't remember specifically but it's fair 16 to say maybe five or six years. 17 Q. So when you were working through crowds to 18 show your ID to get to your apartment in May of 2020, 19 were you working through those crowds on foot? 20 A. Correct. 21 Q. Were there any barriers or other 22 obstructions apart from the crowds that affected your 23 ability to access your building at East Pine Street? 24 A. Not before CHOP, no. 25 Q. Where did you live before you moved to the</p>

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<p style="text-align: right;">Page 153</p> <p>1 Q. Who was out there to meet them?</p> <p>2 A. Johnny Catchings.</p> <p>3 Q. Johnny Catchings?</p> <p>4 A. Yes.</p> <p>5 Q. Would you spell Catchings?</p> <p>6 A. I believe it's C A T C H I N G S.</p> <p>7 Q. Who is Johnny Catchings?</p> <p>8 A. Who is Johnny Catchings?</p> <p>9 Q. Yes.</p> <p>10 A. He was my neighbor who lived underneath me</p> <p>11 at 1210 East Pine.</p> <p>12 Q. And was Mr. Catchings the only person who</p> <p>13 met with law enforcement?</p> <p>14 A. He never met with law enforcement. He went</p> <p>15 out to meet law enforcement.</p> <p>16 Q. And why didn't he meet with law enforcement?</p> <p>17 A. They never showed.</p> <p>18 Q. During the CHOP time period did you stay</p> <p>19 anywhere other than your apartment?</p> <p>20 A. Yes.</p> <p>21 Q. When?</p> <p>22 A. I don't remember specifically but a week or</p> <p>23 two in on a couple different nights, maybe even that</p> <p>24 last week one or two nights.</p> <p>25 Q. Where did you stay?</p>	<p style="text-align: right;">Page 155</p> <p>1 Q. And yet you continued to speak to the media</p> <p>2 until the end of CHOP, right?</p> <p>3 A. Yes. Unfortunately two people were killed</p> <p>4 and nothing was being done.</p> <p>5 Q. You spoke to the media during the workday,</p> <p>6 correct?</p> <p>7 A. Correct.</p> <p>8 Q. How did you prepare for each of your media</p> <p>9 appearances?</p> <p>10 A. I put on clothes, I put on a mask and I went</p> <p>11 and met them wherever we were going to meet.</p> <p>12 Q. After the end of CHOP were there still</p> <p>13 people living in Cal Anderson?</p> <p>14 A. Yes.</p> <p>15 Q. Were people living in Cal Anderson before</p> <p>16 the CHOP?</p> <p>17 A. No.</p> <p>18 Q. Were the people living in Cal Anderson after</p> <p>19 the CHOP the same people as were there for the CHOP?</p> <p>20 MR. REILLY-BATES: Objection; calls for</p> <p>21 speculation.</p> <p>22 A. I can only confidently speak, there were</p> <p>23 definitely some that I recognized from both times.</p> <p>24 Q. (By Ms. Pratt) Are you familiar with other</p> <p>25 unhoused people in the City of Seattle?</p>
<p style="text-align: right;">Page 154</p> <p>1 A. At an acquaintance's house in Renton.</p> <p>2 Q. Why didn't you stay longer?</p> <p>3 A. I didn't want to leave our house for too</p> <p>4 long. I was worried about not having someone there.</p> <p>5 Also I didn't want to overstay any welcome I</p> <p>6 may have had.</p> <p>7 It's not comfortable, not living at your</p> <p>8 home in such circumstances.</p> <p>9 Q. During the CHOP time period you spoke to the</p> <p>10 media on several occasions, correct?</p> <p>11 A. Correct.</p> <p>12 Q. Why did you choose to speak to the media?</p> <p>13 A. Because no one else would speak to me. I</p> <p>14 was worried; we needed something to be done.</p> <p>15 Q. When you say no one else, who do you mean?</p> <p>16 A. The City mostly, the people I tried</p> <p>17 contacting. Police officers, CHOP people, protestors.</p> <p>18 Q. Did speaking to the media attract any</p> <p>19 unwanted attention?</p> <p>20 A. Yes.</p> <p>21 Q. What was that?</p> <p>22 A. People knew I had -- people I know saw it</p> <p>23 and now asked me about it. I know people in CHOP had</p> <p>24 likely seen it and had been influenced or could put</p> <p>25 myself and my building in harm's way.</p>	<p style="text-align: right;">Page 156</p> <p>1 MR. REILLY-BATES: Objection; vague.</p> <p>2 A. What do you mean by familiar, or I'm</p> <p>3 familiar? Whatever, familiar, I'm not sure how you</p> <p>4 phrased that.</p> <p>5 Q. (By Ms. Pratt) Are you aware that there are</p> <p>6 unhoused people in other areas of Seattle?</p> <p>7 A. Yes.</p> <p>8 Q. Did you see other unhoused people elsewhere</p> <p>9 in Seattle?</p> <p>10 MR. REILLY-BATES: Objection; vague.</p> <p>11 A. When?</p> <p>12 Q. (By Ms. Pratt) The summer of 2020, had you</p> <p>13 seen unhoused people in Seattle other than at</p> <p>14 Cal Anderson?</p> <p>15 A. In the summer of 2020 had I seen unhoused</p> <p>16 people, yes. At other times, sure.</p> <p>17 Q. Since that time, since the summer of 2020,</p> <p>18 have you seen other unhoused people in Seattle not in</p> <p>19 Cal Anderson?</p> <p>20 A. Yes.</p> <p>21 Q. Where have you seen them?</p> <p>22 A. On the streets downtown, random spots on</p> <p>23 Capital Hill. Many places.</p> <p>24 Q. What's the difference between the people who</p> <p>25 were at Cal Anderson after the CHOP and the other</p>

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CERTIFICATE

STATE OF WASHINGTON)

) ss.

COUNTY OF KING)

I, the undersigned Washington Certified Court Reporter, hereby certify that the foregoing deposition upon oral examination of MATTHEW PLOSZAJ was taken stenographically by me on June 10, 2021, and transcribed under my direction;

That the witness was duly sworn by me pursuant to RCW 5.28.010 to testify truthfully; that the transcript of the deposition is a full, true, and correct transcript to the best of my ability; that I am neither attorney for nor relative or employee of any of the parties to the action or any attorney or counsel employed by the parties hereto, nor am I financially interested in its outcome.

I further certify that in accordance with CR 30(e) the witness was given the opportunity to examine, read and sign the deposition within 30 days upon its completion and submission, unless waiver of signature was indicated in the record.

IN WITNESS WHEREOF, I have hereunto set my hand this 15th day of June, 2021.

Pat Lessard

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